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Human rights questions

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Letter dated 16 May 2005 from the Permanent Representatives of Chile and Mali to the United Nations addressed to the Secretary-General

On instructions from our respective Governments, we attach herewith the document entitled: "Santiago commitment: cooperating for democracy" adopted at the third ministerial conference of the Community of Democracies at the conclusion of its work in Santiago, Chile from 28 to 30 April 2005 (see annex).

We should be grateful if you would arrange for this letter and its annex to be circulated as General Assembly documents under agenda items 55, 83, 84, 98, 99, 105 and 148.

(Signed) Cheick Sidi Diarra
Ambassador

Permanent Representative of the Republic of Mali to the United Nations

(Signed) Heraldo Muñoz
Ambassador

Permanent Representative of Chile to the United Nations



**Annex to the letter dated 16 May 2005 from the Permanent
Representatives of Chile and Mali to the United Nations
addressed to the Secretary-General**

[Original: English]

**THE COMMUNITY OF DEMOCRACIES
2005 SANTIAGO MINISTERIAL COMMITMENT
"COOPERATING FOR DEMOCRACY"
30 April 2005**

We, the Participants in the Third Ministerial Conference of the Community of Democracies held in Santiago on April 28-30, 2005 approve:

Reaffirming the vital importance of the observance of the provisions of the Charter of the United Nations, the International Bill of Human Rights, as well as the fundamental principles of international law.

Recommitting to act in accordance with universally recognized standards of human rights with the purpose of strengthening dialogue and cooperation between states, peoples and individuals.

Reaffirming further our commitment to the "Warsaw Declaration: Toward a Community of Democracies", approved at the First Ministerial Conference on June 27, 2000 in Warsaw, and to the implementation of the "Seoul Plan of Action: Investing for Peace and Prosperity," and the "Community of Democracies Statement on Terrorism," adopted at the Second Ministerial Conference, held in Seoul on November 16, 2002, declare that:

We renew our conviction that democracy, sustainable development, peace, and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing. Democracy is based on the freely expressed will of the people to determine their own political, economic, social, and cultural systems and their full participation in all aspects of their lives.

We reaffirm that education in human rights and democracy is essential for participation in the democratic process and governance.

We recognize, in line with the Seoul Plan of Action, that respect for human rights – civil, political, economic, social and cultural – including freedom of expression, freedom of the press and freedom of religion and conscience; access to and free exercise of power in accordance with the rule of law; the holding of periodic free and fair elections based on secret balloting and universal suffrage monitored by independent election authorities; freedom of association, including the right to form independent political parties; separation of powers, especially an independent judiciary; and constitutional subordination of all state

institutions, including the military, to the legally-constituted civilian authority, are essential elements of democracy.

We are also convinced that democracy cannot be sustained without strict adherence to the principle of non-discrimination, including protection for persons belonging to national or ethnic, religious and linguistic minorities and indigenous peoples, and persistent efforts to eliminate extreme poverty, underdevelopment, marginalization, economic disparities, and social exclusion.

We reaffirm our commitment to uphold the values of tolerance and compromise that underpin effective democratic systems and to promote respect for pluralism, so as to enable societies to retain their multicultural characters. We firmly reject ethnic and religious hatred, violence, and other forms of extremism.

We take note of the significant expansion in the number of democracies over the last half century and welcome the progress made thus far towards achieving goals and objectives contained in the Warsaw Declaration and the Seoul Plan of Action. We believe that increasing the number of democratic nations and supporting the development and strengthening of emerging democracies helps to build a safer world in which individuals, women and men equally, can live freely and in an environment of peace, stability, and well-being characterized by respect for the rule of law. To that end, we reiterate our commitment to supporting processes of transition to democracy, to the strengthening of institutions and democratic processes, at the national, regional and international levels, and to working in partnership with those promoting democracy, including civil society. The democratization of the multilateral system, particularly the United Nations (UN), is the necessary counterpart to democratic practice within nations. Every nation that practices democracy must strive to ensure that in international affairs decision-making is equally open, transparent legitimate and equitably representative.

In the Millennium Declaration, all members States of the UN have pledged to strengthen their capacity to implement the principles and practices of democracy. In this context, we emphasize that the UN plays a central role in achieving such objectives and we pledge to support the further expansion and strengthening of its activities to broaden and reinforce democratic trends throughout the world. Given that democratic governance is a key element for development, security and human rights, our governments will actively engage in the discussion of UN reform initiated by the Secretary-General's recent report "In larger freedom: towards development, security and human rights for all."

Truthful to the guiding tenets expressed in the Warsaw Declaration and with the aim of continuing implementing the Seoul Plan of Action, we therefore adopt this Commitment, which represents the agenda for the activities of the Community of Democracies based upon reflections on the situation of democracy worldwide at the dawn of the 21st Century, reiterating our firm will to promote and strengthen democracy domestically, regionally and globally, in particular through appropriate international organizations and institutions.

I. Democratic Governance and Civil Society.

We are committed to enhancing the participation of a dynamic civil society at the domestic and international level, and we encourage non-governmental organizations who are actively promoting activities to strengthen and support democracies and respect for human rights worldwide. To that end we will,

1. Promote and protect human rights and fundamental freedoms to foster the empowerment of a vital civil society and the elimination of all forms of discrimination and intolerance.
2. Encourage a culture of tolerance, actively promoting dialogue and mutual respect, by developing educational and other programs aimed at the prevention of violations of human rights, war crimes and crimes against humanity.
3. Cooperate and build partnerships with civil society in pursuit of the rule of law, human rights, democratic governance and institution building. Promote regular dialogue between governmental and civil society actors, to exchange ideas on strengthening domestic democratic development, effectively fighting corruption, promoting and protecting human rights, upholding the government's integrity and good governance, fighting poverty, promoting transparency and access to information via free media, promoting development and dialogue at the international level to support democracy in regional and international fora.
4. Promote an environment for the strengthening, democratization, innovation and modernization of political parties and other political organizations, in order to achieve a democracy in which citizens are full participants. Special attention will be paid to the implementation of free and fair elections, including the transparent and impartial administration of elections, and establishing a transparent system for their financing.
5. Encourage the full participation of women on the basis of equality in all spheres of society, including participation in the decision-making process and access to power, as a fundamental element in the promotion and exercise of a democratic culture.
6. Affirm that democracy demands an active participation of young people. We express our commitment to promote among youth a set of democratic values and we urge all countries to implement strategies, policies, programs and concrete measures designed to foster education for democracy and encourage the contribution of youth in all areas of society.
7. Acknowledge that the promotion and strengthening of democratic governance is a shared responsibility of all public authorities, civil society and political parties.

8. Welcome the work of the Non-Governmental Process of the Community of Democracies as a significant contribution to the government and civil society dialogue and we encourage its participants to support the implementation of this Ministerial Commitment and participate in future Ministerial Meetings of the Community of Democracies as appropriate.

II. Poverty, Development and Democratic Governance.

We recognize the importance our citizens place on the improvement of living conditions. We also recognize the mutually reinforcing benefits that democratic process offers to achieve sustained economic growth and poverty eradication.

We recognize the importance of the progressive realization, in all countries, of the economic, social, and cultural rights as constituting a solid basis for the economic and political empowerment, including the progressive improvement of the quality of life of all individuals.

We reaffirm the principles outlined in the Monterrey Consensus: good governance at both national and international levels is essential for sustainable development. Sound economic policies, solid democratic institutions responsive to the needs of the people, and improved infrastructure are the basis for sustained economic growth, poverty eradication, and employment creation. Freedom, peace and security, domestic stability, respect for human rights, including the right to development, and the rule of law, gender equality, market oriented policies, and an overall commitment to just and democratic societies are also essential and mutually reinforcing.

In this sense, we identify as a main mission of the Community of Democracies the strengthening of democratic governance as an essential component of our efforts to alleviate poverty and support economic growth and sustainable human development and our common pursuit of growth, poverty eradication, inequality reduction and sustainable development, and achieving the internationally-agreed goals, including those contained in the Millennium Summit Declaration. To that end we will

1. While emphasizing the primary responsibility that each country has for its own economic and social development, and the role of national policies and development strategies, underline the importance of a democratic, transparent, and enabling international economic environment.
2. Seek to assist each other in economic and social development, including eradication of poverty, as an essential contributing factor to the promotion and preservation of democratic development.
3. Work with international and regional development organizations and one another to improve the design and implementation of poverty reduction strategies which support democratic institution building. Countries that promote the rule of

law, including respect for human rights and good governance, seek to eliminate corruption and invest in their people are in a position to better utilize development assistance and promote aid effectiveness.

4. Support concrete actions at the national, regional and international level on Financing for Development, in fulfillment of the commitments of the Monterrey Consensus and recall the commitments made to increase the level and effectiveness of official development assistance and encourage further progress towards the target of 0.7 per cent of gross national product.
5. Encourage efforts to enhance political support to chart a practical path for development financing and the promotion of development. We note with great interest the "Initiative Against Hunger and Poverty" and other related initiatives, as innovative programs to bridge the gap between political undertaking and development financing.
6. Foster the creation of jobs to confront poverty and strengthen democratic governance and promote the exercise of workers' rights in the frame of the International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work and the protection of the rights of workers overseas.
7. Encourage men and women to develop their full potential to create an educated public who can participate in the national decision-making process by strengthening education, health services and other basic needs, by promoting the progressive realization of the right to education and the right to the highest attainable standard of physical and mental health and strengthening other basic needs.
8. Jointly work for a successful conclusion of the Doha Development Round, which is vital to economic development, empowerment and reduction in poverty.
9. Seek cooperation schemes which tend to achieve not only respect for civil and political rights, but also economic, social and cultural rights, so as to attain societies wherein all persons are able to fully exercise their rights.
10. Support the elaboration of an expanded and comprehensive response to the HIV-AIDS pandemic, which places an enormous drag on economic growth, weakens governance and security structures, and cooperate on seeking adequate resources to reverse the spread of HIV-AIDS.

III. Regional and Interregional Cooperation for Democratic Governance.

Guided by the tenet of due respect for sovereignty and the principle of non-interference in internal affairs as provided for in the Charter of the United Nations and the Warsaw Declaration, we intend to continue promoting inter- and cross-regional democratic progress and cooperation, and to that end we will,

1. Continue to contribute with technical expertise and cooperation to countries requesting assistance to build democratic institutions.
2. Promote dialogue among civilizations, to strengthen a culture of peace and respect for racial, religious and cultural diversity.
3. Utilize lessons learned, including those applicable from other regions, to encourage and assist emerging democracies to develop and strengthen adherence to human rights, fundamental freedoms and principles of democracy, as well as to regionally-agreed upon democracy charters.
4. Promote cooperation between regional and global organizations and institutions, in particular the United Nations, in their work to foster education for democracy.
5. Support the work of non-governmental and inter-governmental organizations for their contributions to the process of democratic consolidation in the world.
6. Commend the ten-year achievements of the International Institute for Democracy and Electoral Assistance (IDEA) and encourage it to continue working in partnership with international and national organizations, producing and applying comparative analysis and experience and expertise in democracy building and consolidation.
7. Support institutions operating within the framework of international law, from which practical assistance in democracy-building is available to countries seeking access to experience, skills and resources. Support the setting up of the Budapest International Center for Democratic Transition. As part of the Center's close working relationship with existing institutions, we appreciate its cooperation with the Community of Democracies and with relevant regional and international organizations.

IV. Democracy Caucus within the United Nations and Other Multilateral Fora to Support Democracy.

We will strengthen our process of informal consultation and coordination, wherever possible, at the UN and other international and regional organizations on democracy related issues,

through, among others, informal coalitions and caucuses to support democracy. To that end we will seek to,

1. Continue convening as an informal democracy caucus at the UN General Assembly and the Commission on Human Rights (CHR), in order to consult, coordinate possible actions and foster cooperation to deepen democratic governance, protect human rights, and to promote and improve democratic practices.
2. Consult and promote, where possible, on actions in relevant areas at the UN General Assembly, the CHR, the Economic and Social Council (ECOSOC) and other bodies as needed, to strengthen the international mechanisms to support democracy, looking forward to the creation of the UN Democracy Fund.
3. Meet on a regular basis with Non Governmental Organizations (NGOs) that have been active in advocating the promotion of democracy at the UN to facilitate an exchange of views about how best to build, strengthen, and assist their work.
4. Give serious consideration to the candidacy of countries contributing effectively to the promotion and protection of democracy and human rights worldwide in bodies which focus on elements of democratic governance.
5. Welcome the recognition of the work of the Community of Democracies, made by the UN Secretary General in his Report "In larger freedom: towards development, security and human rights for all."
6. Encourage cooperation with the International Conference of New or Restored Democracies as an intergovernmental forum to promote and consolidate democratic governance in emerging and restored democracies. We welcome the holding of the 6th international Conference of New or Restored Democracies in Qatar in 2006.

V. Regional Organizations, Promoting Democracy, and Responding to National and Transnational Threats and Challenges to Democracy.

We express our determination to promote a series of effective, timely, and expeditious regional cooperation procedures to ensure the promotion and defense of democracy. To that end we will,

1. Encourage the exchange of experiences between regions, to develop or strengthen mechanisms in regional organizations' charters and procedures that promote democracy, inter alia, the Inter-American Democratic Charter.

2. Develop and fully implement regional instruments which call upon regional partners to build democratic institutions, adhere to democratic principles, protect human rights, promote education in human rights and democracy and provide assistance in this field to states which are in need of assistance and who have requested it.
3. Promote the exchange of regional organizations' experiences, particularly in those areas outlined in the Seoul Plan of Action, in responding to threats to democracy, inter alia, the inter-American system for the protection of human rights and the Inter-American Democratic Charter.
4. Resolve jointly to cooperate to discourage and resist the threat to democracy posed by the overthrow of constitutionally elected governments.
5. Support the improvement of governance throughout the world and the rebuilding of the rule of law and state institutions in war-torn countries.
6. Condemn in strong terms all acts of terrorism, irrespective of their motivation, whenever and by whomsoever committed, as one of the most serious threats to peace, democracy and security.
7. Promote international cooperation to fight against terrorism, in compliance with obligations under international law, in particular international human rights, refugee and humanitarian law.
8. Encourage the early adoption of a comprehensive convention on international terrorism by the UN, and for those countries which have not done so, seriously consider ratification of international instruments to fight against terrorism, and international conventions on human rights and international humanitarian law.
9. Welcome the "Madrid Agenda" as an outstanding contribution to encourage international cooperation against terrorism.
10. Encourage action against transnational threats, such as crossborder and state-sponsored terrorism, illegal exploitation of natural resources, organized crime, sea piracy, drug trafficking, illegal trafficking of weapons, trafficking in persons, in particular women and children, and money laundering.
11. Encourage and support the United Nations in its electoral assistance programs, including through national capacity building, constitution drafting and organizational experience for democracies in transition.

VI. Follow-up.

In order to implement the above-mentioned commitments and widen the support of countries, high-level representatives of international organizations and civil society to the activities of the Community of Democracies, we value our work within the United Nations in New York and Geneva and we establish the following Working Groups:

- Working Group on Democratic Governance and Civil Society;
- Working Group on Poverty, Development, and Democratic Governance;
- Working Group on Regional and Interregional Cooperation for Democratic Governance;
- Working Group on Promoting Democracy and Responding to National and Transnational Threats to Democracy.

Each Chair will report regularly to the Convening Group on the group's progress, as well as share information with the group on the Convening Group's decisions or actions.

The Convening Group will inform and share such reports with the participants of the Community of Democracies, serving as a means for disseminating information and knowledge on best practice activities, in the hope that each country in the world will strive to fulfill the ideals and principles noted in the Warsaw Declaration. While we remain committed to the position taken in Seoul to include only those countries where constitutional rule and democratic practices exist, we stand ready to support democratization in other countries and offer our support to those desiring a peaceful democratic transition.

VII. Regional-specific Commitments.

The following commitments were made by participating countries of respective regional groups that met at the Third Ministerial Conference.

Africa

1. Cancellation of the debt of African countries.
2. Strengthening of capacities and actions in political, economic, social, cultural and environmental matters, including strengthening of the capacities of the African Union, in particular the African Peer Review Mechanism.
3. Respect by the bilateral and multilateral development partners of commitments made towards the attainment of the Millennium Development Goals.
4. Contribution to peace and security through the strengthening of the support to conflicts and crisis prevention, management and settlement in Africa.

The Americas

1. Fully implement the Inter-American Democratic Charter by all American States. A follow-up mechanism shall be established in the OAS to ensure its effective application, including the creation of a democracy practitioner database.
2. Support a wide and inclusive process of political dialogue and the electoral transition process in Haiti, democratic normalcy in Ecuador and democracy and the pacification process in Colombia.
3. Cooperate with the universal and regional system of human rights and call upon the accession to the system's instruments.
4. Exchange experiences with other regional organizations, including the African Union (AU), in matters of strengthening of democracy at regional and interregional level through the OAS.

Asia

1. Support consolidation and promotion of democracy. Fight corruption.
2. Cooperate, not only with and among States, but with civil society organizations to promote democracy and development.
3. Build capacity through direct exchange among countries with a special focus on education.

Keeping in mind the critical role of political leadership in shaping democracy, and harnessing the potential of information and communications technology in strengthening democracy.

The working group commits to undertake these actions in cooperation with relevant existing institutions.

Europe

1. To support efforts and initiatives that might contribute to enhance democracy and the empowerment of civil society in Europe.
2. To emphasize the role that the European institutions are playing in the strengthening of democracy at the regional level within Europe.

3. To share with other regions of the world European experiences in the support of the democratization process, in order to encourage and assist emerging democracies to develop and strengthen their own political institutions.

Middle East

1. The Group emphasized the link between democratization and the peace process in the Middle East.
2. The Group stressed out the need for democratic education in the society, starting in the family. Knowledge has been stated as an important tool of spreading Democratic values and principles.
3. Nations adopting Democracy as their way of governing should use the same rules applied on their citizens, on citizens of other States.
4. The Group declared its support to the "Centre for Democratic Transition" in Hungary.
5. The Group confirmed that Islam is by no means contradictory to Democracy and its values and principles. Islam is in no way discriminatory to women and their rights.
6. The Group confirmed the need for a sustained dialogue with older democratic states. This dialogue will include the Civil Society representatives.
7. The political will is an important mean of forcing the necessary changes and introducing the required reforms.
8. A new family law should be adopted and ratified to bring justice to women and children in the Region.
9. The Yemen, Morocco and Jordan experience is associating the Islamist parties within the political process is a proof of the success of bringing theses political forces to work according the constitutional rules applied to the other political forces.
10. The Group stressed the commitment to maintain a positive relationship between Governments and Civil society.
11. The Group stressed the need for a sustained cooperation with other regional groups based on mutual understanding and a continued dialogue. This dialogue will not be restricted to governments but also Civil Society institutions.
12. Yemen has proposed to adopt an Inter-Arab Democratic Charter.